

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BRIAN JOSEPH STOLTIE,)
) Civil Action No. 21-267
Plaintiff,)
)
vs.) U.S. District Judge Arthur J. Schwab
) U.S. Magistrate Judge Patricia Dodge
GINA CERILLI, ET AL.,)
)
Defendants.)

ORDER ADOPTING REPORT AND RECOMMENDATION ([Doc. 64](#))
AND DENYING AS MOOT PLAINTIFF BRIAN JOSEPH STOLTIE'S
MOTION FOR PRELIMINARY INJUNCTION ([Doc. 33](#))

AND NOW, this 27th day of April, 2022, after: (1) Plaintiff, Brian Joseph Stoltie, filed a Motion for Preliminary Injunction on December 23, 2021; (2) United States Magistrate Judge Patricia L. Dodge (“Magistrate Judge Dodge”) issued a Report and Recommendation on January 12, 2022, recommending that Plaintiff’s Motion for Preliminary Injunction be denied ([Doc. 34](#)); (3) Magistrate Judge Dodge issued an Order on February 3, 2022, vacating the January 12, 2022 Report and Recommendation because Plaintiff was granted leave to file a Supplemental Complaint (Doc. 46), which Plaintiff filed on February 11, 2022 ([Doc. 50](#)); (4) Defendants filed a Response in Opposition to Plaintiff’s Motion for a Preliminary Injunction on February 15, 2022 ([Doc. 51](#)); (5) Magistrate Judge Dodge issued a thorough Report and Recommendation on April 5, 2022, recommending that Plaintiff’s Motion for Preliminary Injunction be denied as moot because Plaintiff’s Motion addressed allegedly retaliatory conduct by unidentified jail officials or employees at the Westmoreland County Prison (“WCP”) after Plaintiff commenced this action, and Plaintiff had been transferred from WCP to SCI-Smithfield ([Doc. 64](#)); (6) Plaintiff had 14 days from the date of the service of the Report and Recommendation, or until

April 19, 2022, to file written objections to the April 5, 2022 Report and Recommendation (*id.*); and (7) to date, no written objections having been filed by Plaintiff, upon *de novo* review of the entire Record and Magistrate Judge Dodge's April 5, 2022 Report and Recommendation ([Doc. 64](#)),

IT IS HEREBY ORDERED that Magistrate Judge Dodge's April 5, 2022 Report and Recommendation ([Doc. 64](#)) is adopted as the Opinion of this Court.

IT IS FURTHER HEREBY ORDERED that, for the reasons set forth in Magistrate Judge Dodge's April 5, 2022 Report and Recommendation ([Doc. 64](#)), Plaintiff's Motion for Preliminary Injunction ([Doc. 33](#)) is DENIED as moot.

s/Arthur J. Schwab
ARTHUR J. SCHWAB
United States District Judge

cc: Honorable Patricia L. Dodge
United States Magistrate Judge

Brian Joseph Stoltie
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All ECF-registered Counsel of Record